

REMARKS

The Examiner has allowed Claims 16-36 as indicated in the Notice of Allowance mailed August 13, 2008. Applicant now respectfully requests that Claims 25-36 be cancelled without prejudice to subsequent submission in a continuation application. Claims 16-24 remain pending.

Applicant notes that MPEP §714.16(d) clearly indicates that the Examiner has authority to enter amendments submitted after a Notice of Allowance wherein the amendment embodies merely the cancellation of claims from the application. Specifically:

After the Notice of Allowance has been mailed, the application is technically no longer under the jurisdiction of the primary examiner. He or she can, however, make examiner's amendments (see MPEP § 1302.04) and **has authority to enter amendments submitted after Notice of Allowance** of an application which embody merely the correction of formal matters in the specification or drawing, or formal matters in a claim without changing the scope thereof, or the **cancellation of claims from the application**, without forwarding to the supervisory patent examiner for approval. (*MPEP 714.16(d), emphasis added*)

Applicant has now made an earnest attempt to place this Application in condition for issuance. Applicant respectfully requests the present Amendment be entered and the application be permitted to proceed to issuance accordingly with Claims 16-24.

Applicant does not believe that any fees are due; however, in the event that any fees are due, the Director is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 09-0447 of IBM Corporation.

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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Dated: October 10, 2008
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